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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SING, SIMON P

ART UNIT	PAPER NUMBER
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2645

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DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/935,571

**Applicant(s)**

MARCE ET AL.

**Examiner**

Simon Sing

**Art Unit**

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>08/24/2001</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because legends (i.e. mobile station, fixed station and database, etc.) are not shown on the drawing. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4 and 7-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Fraccaroli US 6,549,768.

2.1 Regarding claims 1 and 10, Fraccaroli discloses a mobile communications matching system, comprising fixed (base) stations and mobile stations, in a communications network in figure1 (column 3, lines 46-55). Fraccaroli teaches sending an identification code (USER ID) by a mobile station, via a fixed station to the

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communication network (column 4, lines 64-67; column 5, lines 11-18). Fraccaroli also teaches a user's matching profile (subscriber information) stored in server 109 (column 8, lines 33-48), and matching users' profiles using the USER IDs (column 8, lines 24-32; column 5, lines 26-37). When profiles are matched, parts of information in one user's matching profile appears on another (matched) user's mobile station (column 10, lines 40-63). Fraccaroli further teaches that a user can interact with his/her profile in the form of a secure Internet page, supported by his/her mobile station (handset) (column 8, lines 48-56). It is inherent that a user is required to enter a password (update code), via a fixed station, to access his/her secure Internet page in order to interact (update) the matching profile, such as changing location and time (column 9, lines 41-49). The fixed station inherently comprises a receiver for receiving information transmitted from a mobile station.

2.2 Regarding claim 2, as discussed in claim 1, a user is required to enter a password (update code) to enter his/her secure Internet page in order to interact (creating or updating) his/her matching profile.

2.3 Regarding claim 3, Fraccaroli teaches that each matching profile corresponds to each USER ID, there is a matching engine for analyzing users' matching profiles and sending messages to users mobile stations (handsets) if matched are found (column 8, lines 24-32; column 9, lines 50-62; column 10, lines 40-63).

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2.4 Regarding claim 4, Fraccaroli teaches that a user may enable or disable matching by a simple input (specific purpose code) for his mobile station (column 10, lines 5-8).

2.5 Regarding claim 7, Fraccaroli teaches a request profile, which specifies location area size (specific location code) a user desired, such as a cell, group of cells etc. (column 9, lines 41-62).

2.6 Regarding claim 8, Fraccaroli discloses a mobile station (cellular phone) 102 in a mobile communications matching system. The mobile communications system comprises fixed (base) stations and mobile stations, in a communications network in figure1 (column 3, lines 46-55). Fraccaroli teaches sending an identification code (USER ID) by a mobile station, via a fixed station to the communication network (column 4, lines 64-67; column 5, lines 11-18). Fraccaroli also teaches a user's matching profile (subscriber information) stored in server 109 (column 8, lines 33-48), and matching users' profiles using the USER IDs (column 8, lines 24-32; column 5, lines 26-37). When profiles are matched, parts of information in one user's matching profile appears on another (matched) user's mobile station (column 10, lines 40-63). Fraccaroli further teaches that a user can interact with his/her profile in the form of a secure Internet page, supported by his/her mobile station (handset) (column 8, lines 48-51). It is inherent that a user is required to enter a password (update code), via a fixed station, to access his/her secure Internet page in order to interact (update) the matching

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profile, such as changing location and time (column 9, lines 41-49). The fixed station inherently comprises a receiver for receiving information transmitted from a mobile station.

1.7 Regarding claim 9, Fraccaroli discloses a database in server 109, for storing subscribers' matching profile (column 8, lines 33-44; column 9, lines 50-52) in a mobile communications matching system. The mobile communications system comprises fixed (base) stations and mobile stations, in a communications network in figure1 (column 3, lines 46-55). Fraccaroli teaches sending an identification code (USER ID) by a mobile station, via a fixed station to the communication network (column 4, lines 64-67; column 5, lines 11-18). Fraccaroli also teaches a user's matching profile (subscriber information) stored in server 109 (column 8, lines 33-48), and matching users' profiles using the USER IDs (column 8, lines 24-32; column 5, lines 26-37). When profiles are matched, parts of information in one user's matching profile appears on another (matched) user's mobile station (column 10, lines 40-63). Fraccaroli further teaches that a user can interact with his/her profile in the form of a secure Internet page, supported by his/her mobile station (handset) (column 8, lines 48-51). It is inherent that a user is required to enter a password (update code), via a fixed station, to access his/her secure Internet page in order to interact (update) the matching profile, such as changing location and time (column 9, lines 41-49). The fixed station inherently comprises a receiver for receiving information transmitted from a mobile station.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glass US 6,662,006 in view of Sanchez US 6,449,479.

3.1 Regarding claim 1, Glass discloses an apparatus for providing calling number identification alias in communications system in figure 1. Glass teaches affixed station 220, a mobile station 200 and an alias database 240. In wireless communications, a mobile station sends its mobile identification number (MIN) (identification code) to a wireless network via fixed station when entering a service area. Glass further teaches using the MIN to lookup a subscriber's database and sending part of subscriber information (alias telephone number 210) to be displayed on another telephone 400 of another subscriber (column 3, lines 10-24, 38-48; column 1, lines 62-65; column 4, lines 13-17). The mobile station 200 inherently has a transmitter for transmitting information, both data and voice, to fixed station 220 which inherently has a receiver for receiving information from mobile stations.

Glass also teaches using other telephone numbers as the alias telephone number, by fails to teach sending an update code to update said database for using another telephone number.

However, Sanchez discloses an apparatus for mobile subscriber service modification in figure 1. Sanchez teaches that a subscriber, using a mobile station, is able to access and change the subscriber's profile (column 2, lines 34-47), using a PIN (update code) (column 4, lines 6-18).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Glass reference with the teaching of Sanchez so that a subscriber would have been able to modified his database/profile and an PIN would have been required to access said database/profile, because such a modification would have been enabled a subscriber to change the alias telephone number as taught by Glass, and using a PIN would have protected a subscriber's database/profile from unauthorized users.

3.2 Regarding claim 3, Glass teaches that the database 240 supports more than one subscriber (figure 2, MIN1 for telephone number A and MIN2 for telephone number B), the network inherently comprises an analyzer for analyzing specific subscriber information (alias telephone number), and the network inherently comprises a transmitter for transmitting the alias telephone number to telephone station 400.



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4. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glass US 6,662,006 in view of Sanchez US 6,449,479 and further in view of Rhodes US 6,343,120.

The Glass's reference, modified by Sanchez, teaches sending part of information in a subscriber's database to another subscriber, but fails to teach a specific purpose code for analyzing the specific subscriber information.

However, Rhodes discloses a telecommunications network with caller ID alias in figure 2, comprising a fixed (base) station 208 and at least one mobile station 209. Rhodes teaches that caller ID displayed on a called mobile station may be a caller's name or other a telephone number other than the number assigned to the mobile station (column 3, lines 62-67; column 4, lines 1-18, 44-67; column 5, lines 1-7). Rhodes further teaches that a caller may create more than one alias name and can select one of the alias by sending a specific purpose code (column 5, lines 17-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Glass reference, which was modified by Sanchez, with the teaching of Rhodes, so that a subscriber would have been able to use more than telephone number as alias indicated by Glass (column 4, lines 13-17), and a subscriber would have also entered a specific purpose code for selecting one the alias to be analyzed and sent to a called party, because such a modification would have been enabled a subscriber to change the alias telephone numbers from call to call.

***Conclusion***

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



S.S.

04/28/2004

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